

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

Plaintiff Davayon Jerrell Saunders, a Virginia inmate proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. On May 10, 2022, the court ordered Saunders to show cause, within seven days, why this case should not be dismissed as duplicative of the claims raised in Civil Action No. 7:22cv71. (*See* ECF No. 7.) The court warned Saunders that failure to respond to the court’s order would “result in dismissal of this action without prejudice.” (*Id.*) The court also advised Saunders that if he intends to proceed in only one case (Civil Action No. 7:22cv71), he could so notify the court or wait for his response time to expire. (*Id.*) Saunders did not respond to the court’s order and, therefore, the court will dismiss this action without prejudice.¹

The clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Saunders.

ENTERED this 26th day of May, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE

¹ On May 13, 2022, the court received an unsigned request from Saunders, asking the court to send summonses to the defendants. (See ECF No. 13.) The court notes that the filing is not responsive to the court's May 10 order and, in fact, was dated May 8 and mailed to the court on May 9, the day before the court's order was entered. (*Id.*)